

◆ DMR LOBSTER NEWSLETTER ◆

Volume 5, Issue 2

Summer – August 2003

Lobstermen Elect Zone Council Reps

Congratulations! Results from the Annual Election for district representatives on the lobster zone councils are in. Following are the successful candidates. The future of the lobster fishery is dependent upon the active collaboration of harvesters, scientists and managers. Many thanks to those harvesters who are willing to give their time as council members in order to help manage this important fishery.

Many thanks to the Maine Sea Grant and Cooperative Extension members, Chris Bartlett, Sherman Hoyt, Dana Morse and to Patrice Farrey, Executive Director of Maine Lobstermen's Association, who volunteered their time distributing flyers, talking with people about what it means to be a representative and by helping make the elections more visible.

Bold, underlined names reflect the winners of the 2003 election. Numbers in parentheses reflect the term expiration.

Zone A

District

1 JOHN DROUIN ('06)

1 Jeremy Cates ('04)

2 Wade Day ('04)

3 Ernest Kelley, Sr. ('05)

4 Jay Kelley ('04)

5 OSCAR LOOK, JR. ('06)

6 Eric Beal ('05)

7 Robert Hurlbert ('05)

8 CHRISTOPHER URQUHART ('06)

Rep. Anne Perry – Calais

Zone B

District

1 Frank "Buddy" Trundy, Jr. ('05)

2 Jon Carter ('04)

3 Eric Jones ('05)

4 WILLIAM SOUKUP ('06)

4 John Stanley ('04)

5 CHRISTOPHER GOODWIN ('06)

5 George Sawyer ('04)

6 PHILIP DZIEZYK ('06)

7 David W. Lunt ('04)

Sen. Dennis Damon – Trenton

Zone C

District

1 DAVID TARR ('06)

1 Michael Sherman ('04)

2 MICHAEL GRINDLE ('06)

3 Burt Leach ('04)

4 ROBERT RAY ('06)

5 Nathan Jones ('05)

6 Adam Campbell ('04)

7 Kenneth Holbrook ('05)

7 Eric Davis ('04)

8 Daniel MacDonald ('04)

9 Vance Bunker ('05)

Rep. Hannah Pingree – North Haven

Zone D

District

1 William Ropes, III ('04)

2 GILBERT COLLAMORE, SR. ('06)

2 Eugene Carter ('04)

3 PHILIP BRAMHALL ('06)

3 Mark Wallace ('04)

4 Michael Myrick ('05)

5 Vernon Thompson ('04)

6 Dan Miller ('06)

7 WOODBURY POST ('06)

8 James Dow ('05)

9 Peter Mulhearn ('04)

10 George Heal ('05)

11 Kenneth Wyman, Jr. ('05)

Sen. Christopher Hall – Bristol

Zone E

District

1 Dale Savoie ('04)

1 Leon Kelley ('05)

2 John Tarbox ('05)

3 TYLER HODGDON ('06)

4 ANDREW HAWKE ('06)

4 GUY RANDLETT ('06)

5 Larry Knapp ('04)

5 Clive Farrin ('05)

6 Fred Farnham ('04)

7 ROBERT ROYALL ('06)

8 Robert Brown ('04)

9 JOHN SEIDERS ('06)

10 MARK CHENEY ('06)

Rep. Kenneth Honey – Boothbay

Zone F

District

1 FRANK STROUT ('06)

1 Lyman Kennedy ('04)

2 David Johnson ('05)

3 Richard Yenco ('05)

4 Shawn O'Reilly ('05)

5 Elliott Thomas ('05)

6 Donald Ulrickson ('04)

6 WILLIAM ALLEN ('06)

7 JASON HILLMAN ('06)

7 GARETH ANDERSON ('06)

8 Gary Hawkes ('05)

9 Raymond Gilliam ('04)

9 Douglas Alexander ('04)

Rep. Leila Percy – Phippsburg

Zone G

District

1 Harold Place ('05)

2 Steven Taylor ('05)

3 BRADFORD PARADY ('06)

4 Jeffrey White ('05)

4 Nathaniel Marshall, III ('04)

5 Todd Hubbard ('04)

6 Dennis McMahon ('04)

7 Laurin Brooks ('04)

8 Eugene "Peter" Eaton ('05)

8 NORMAN NUNAN, JR. ('06)

9 JAMES ALWIN, III ('06)

10 JAMES HENDERSON ('06)

11 DAVID PROVENCHER ('06)

12 Jodie Jordan ('06)

13 SCOTT SIMMONS, SR. ('06)

Rep. Nancy Sullivan – Biddeford

*Marine Patrol News*Transfers within Marine Patrol:

- Sgt. Steven Ingram transferred from his position as a Division I, Section 1 sergeant to Back-up Pilot and Supervisor of Special Services in charge of the Bureau's training and watercraft facility in Rockland, as well as maintenance of equipment.
- Sgt. Marlowe Sonksen transferred from Division I, Section 3 to Division II, Section 4 – Thomaston to Lincolnville.

We would like to congratulate the following individuals on their promotions/retirements:

- Paul Joyce was promoted to Sergeant in Division I, Section 1 - which covers from Kittery to Scarborough.
- Dale Sprowl was promoted to Sergeant in Division I, Section 3 – which covers from Woolwich to Thomaston.
- Sgt. Victor Cole resigned as Sergeant and served as supervisor of Section 4.
- MPO Scott Worthing retired from the Marine Patrol in May 2003, with 21 years of service. Officer Worthing was assigned in Dennysville, Thomaston & Brunswick.

Awards:

At this year's Northeast Fish & Wildlife Conference, the Conservation Law Enforcement Officer of the Year Award (CLECA) was given to Specialist Michael Forgues in Newport, Rhode Island.

The Maine Lobstermen's Association Officer of the Year Award, was given out at the Maine Fishermen's Forum, and was given to MPO James Princiotta in Rockport, Maine.

At the Marine Patrol's Annual In-service Training in Boothbay Harbor – we were very proud to be able to give out the following awards:

Life Saving Award – Given to Officers Rick LaFlamme, Henry Stevenson and Game Warden Mike Joy – for heroic actions as the result of a boat accident, which occurred on 9-11-02 off Wood Island.

Commendation Award – Given to retired Sergeant Victor Cole, Specialist Rene Cloutier and MPO James Princiotta for their contribution to the Bureau's application of technology in the apprehension of marine resources violations.

Commendation Award – Given to retired USCG Captain Tom Meyers, for his support and facilitation of the Governor's Commercial Fishing Vessel Safety Task Force.

The Marine Patrol again assisted the Secret Service and the USCG in the protection of the President of the United States at Kennebunkport from June 12th through the 16th. Our participation made it possible for the fishermen to fish in the restricted area during the visit.

Marine Patrol has submitted an Operational Plan to NMFS/OLE, which has been tentatively approved. Funding for this agreement will enhance Marine Patrol's capabilities in its continuing effort of enforcement within the lobster industry in Area 1. All Marine Patrol Officers are federally deputized law enforcement agents and will be conducting fisheries boardings within the lobster management Area 1, of both resident and non-resident vessels.

This year Maine Marine Patrol and Maine Inland Fisheries & Wildlife co-hosted the Northern Association of Boating Administrators (NABA). This conference covered many issues relating to recreational boating safety and education. The conference was held in Bar Harbor, Maine, with 17 of the 23 states represented. Major Fetterman was nominated to be a member-at-large, and the board unanimously accepted his nomination.

Marine Patrol was very proud of the officers who were chosen to help serve our country in the War in Iraq, whether abroad or at home. MPO Michael Bross, served stateside during the war, and has safely returned to his duties as Marine Patrol Officer. MPO Jodi Mosher is still serving stateside, and we look forward to her safe return as well. MPO Scott Couture was stateside for a short period of time and has since been deployed over to Iraq, and we hope for his safe return to his family and career. We thank them for their service to our country.

Marine Patrol News (Cont'd)

19-JUN-03 LOBSTER VIOLATION ADJUDICATION REPORT March 1, 2003 to May 30, 2003

Defendant	First Name	Off. Date	Location	Description	Disp. Date	Disp.	Fine
AMES	STEPHEN	28-Mar-03	MATINICUS ISLAND	Trap molesting	6-May-03	G	600.00
AMES	STEPHEN	15-Mar-03	PORT CLYDE	Engaged in licensed activity w/o Class II license	6-May-03	G	422.00
BENNETT JR	PHILIP	2-Dec-01	VINALHAVEN	Trap molesting	10-Apr-03	G	300.00
BICKFORD	MAURICE	8-Mar-03	VINALHAVEN	Fishing w/o license	6-May-03	G	224.00
BOWLEY	JUSTIN	29-Aug-02	SANFORD	possession of four (4) oversized lobsters	10-Mar-03	G	182.50
BOWLEY	JUSTIN	29-Aug-02	SANFORD	transporting lobsters out of state without a lobster transportation license	10-Mar-03	G	292.50
BROOKS	KEVEN	21-Oct-02	GOULDSBORO	Fishing six L&C traps not properly tagged for 2002; to wit, untagged.	12-Mar-03	G	100.00
DODGE	TIM	7-Jan-03	ROCKLAND	Selling lobsters without a license	4-Mar-03	DISM	
DRINKWATER	EUGENE	16-Mar-03	SPRUCE HEAD	Poss. of four (4) v-notched or mutilated lobsters	2-May-03	G	250.00
GOLDING	DARWIN	26-Jul-02	ADDISON	Illegal escape vents (less than 1-15/16" x 5-3/4")-3 traps	8-Apr-03	G	150.00
LABONTE	JASON	25-Sep-02	SACO	Molesting lobster gear	5-Mar-03	DISM	
LEMIEUX	NORBERT	24-Sep-02	CUTLER	Viol of Reg, to wit: illegally hauling traps not allocated to hauling vessel	23-Apr-03	DISM	
LEMIEUX	NORBERT	24-Sep-02	CUTLER	Viol of Reg, to wit: illegally hauling traps w/o tag registrant on board	23-Apr-03	DISM	
LEMIEUX	NORBERT	24-Sep-02	CUTLER	Trap limit violation	23-Apr-03	G	500.00
LINDSAY	DOUGLAS	18-Sep-02	LUBEC	Molesting lobster gear	7-Apr-03	G	500.00
MCMAHON SR	DENNIS	30-Apr-02	WELLS	No apprentice license	25-Mar-03	G	236.00
MERCHANT SR	WILTON	18-Sep-02	LUBEC	Molesting lobster gear	7-Apr-03	G	500.00
SNOW	LUKE	21-Nov-02	MATINICUS ISLAND	Fishing ten (10) untagged lobster traps	4-Apr-03	G	500.00

Correct Placement of Crab Vent

As a reminder to harvesters who are using the crab vent panel which has two circular vents to fulfill the lobster trap venting requirements, that panel must be installed in the horizontal position as required by T-12 6433 and Regulation Chapter 25.85 (next to the bottom edge) unless placed over the head of an end parlor section.

Grand Manan Channel Update

This past winter US and Canadian Federal government representatives hosted a series of meetings between a working group of US and Grand Manan lobstermen in order to develop joint operational practices within the gray area and to begin the discussion on complimentary management initiatives. The early meetings focused upon exchanges of information as well as group discussions on the very different lobster management plans and regulatory protocols of each sovereign nation. At the most recent meeting held on June 6th in St. Andrews, the US lobstermen proposed draft operational procedures for the gray area that included various issues such as gear marking, trap configuration areas, maximum trawl limits and whale safe gear.

The Canadians subsequently published their 2003 Gray Area Conservation Harvest Plan for LFA 38B. The season began June 30th and will end October 31st with a maximum of 31 vessels to be permitted to fish at any one time. Single licenses are limited to 224 traps and partnership licenses are limited to 336 traps. The LFA 38B Harvest Plan also includes the prohibition of fish bycatch, allowance for the retention of rock crabs, some right whale conservation protection, required observer or electronic vessel monitoring and mandatory 100% dockside monitoring. There has not yet been a reply to the proposed US operational procedures.

The next step is for the Federal representatives of the working group to report to the US/Canada joint steering committee with a summary of the discussions/proposals concerning any industry agreements reached on shared fishing practices and potential joint management initiatives. At this time there are no additional working group meetings planned.

Trap Tag Price Increase in 2004

Lobstermen should be aware that effective in 2004, lobster trap tags will experience their first price increase since their inception in 1997. As part of the Governor's Part 1 Budget, the Department shifted three full time staff positions to the Lobster Management Fund from the General Fund in order to save needed General Fund dollars and to preserve three positions critical to the lobster industry. Those positions were the State's lobster biologist and two Marine Patrol boat captains. The trap tags will increase to thirty cents for both new and replacement tags.

Federal Whale Take Reduction Plan Alternatives

As you may know, NOAA Fisheries is in the process of considering modifications to the Atlantic Large Whale Take Reduction Plan (ALWTRP) to reduce interactions between large whales and commercial fisheries. NOAA Fisheries reconvened the Atlantic Large Whale Take Reduction Team (ALWTRT) April 28-30, 2003, to help evaluate the Plan and discuss additional modifications that may be necessary to meet the goals of the Marine Mammal Protection Act.

The proposed overriding principals for reducing risk to Atlantic large whales include the reduction of risk associated with vertical lines and the reduction of all groundline profiles. A document which summarizes ALWTRT options from the April 2003 meeting and subsequent subgroup meetings has been posted on the ALWTRP's website at www.nero.noaa.gov/whaletrp/ and is also available by contacting:

Diane Borggaard
Large Whale Coordinator
NOAA/NMFS/NERO Protected Resources Division
1 Blackburn Dr.
Gloucester, MA 01930
Ph: 978-281-9328 ext. 6503 e-mail: diane.borggaard@noaa.gov

Many of the proposed options are intended to address the risk associated with groundlines, however, there is a growing pressure to research efforts to reduce risk with the endlines as well. Of interest to Maine lobstermen include the proposals to eliminate the current Seasonal and Dynamic Management Areas. However, the removal of these options must be replaced by additional gear modification measures or fishing strategies to reduce the risk of entanglements. The following are the proposed options for Northern inshore and nearshore lobster waters:

1. No action- No new management measure (status quo).
2. Eliminate DAM and SAM programs.
3. Allow two buoy lines and one-third floating line on each end line of the buoy line in SAM areas in 2004 and beyond.
4. Eliminate DAM and SAM programs and implement sinking or neutrally buoyant line in groundline when a buy-back program for floating line is in place and a line has been developed that is durable and commercially available.
5. Eliminate DAM and SAM programs, and adopt the below specified regulations for "high risk" areas (not yet defined) by 2006 including:
 - i) Year-round requirements;
 - ii) Current weak link requirements;
 - iii) Require non-floating groundline to include sinking, neutrally buoyant or "low profile" (not yet defined) line;
 - iv) Allow two buoy lines; and
 - v) Allow one-third floating line on the bottom third and sinking or neutrally buoyant line on the top two-third of each buoy line; and
 - vi) Commit to reducing groundline profile in other areas (e.g. rocky bottom areas such as waters east of Boothbay, except for Mt. Desert Rock) (not yet defined) by 2008.
6. Maintain DAM program and consider an immediate temporal and/or spatial expansion of SAM area requirements until there are broad-based gear modifications such as implementation of sinking, neutrally buoyant or "low profile" (not yet defined) line in groundlines.
7. Eliminate DAM program and consider an immediate temporal and/or spatial expansion of SAM area requirements until there are broad-based gear modifications such as implementation of sinking, neutrally buoyant or "low profile" (not yet defined) line in groundlines.
8. Maintain DAM program and consider an immediate temporal and/or spatial expansion of SAM area requirements until there are broad-based gear modifications such as implementation of sinking, neutrally buoyant or "low profile" (not yet defined) line in groundlines. Allow two buoy lines, and one-third floating line on the bottom third and sinking or neutrally buoyant line on the top two-third of each buoy line in SAM areas.
9. Eliminate DAM program and consider an immediate temporal and/or spatial expansion of SAM area requirements until there are broad-based gear modifications such as implementation of sinking, neutrally buoyant or "low profile" (not yet defined) line in groundlines. Allow two buoy lines and one-third floating line on the bottom third of each buoy line in SAM areas.
10. Maintain DAM program and request voluntary removal of gear until there are broad based gear modifications such as implementation of sinking, neutrally buoyant or "low profile" (not yet defined) line in groundlines.
11. Require weak links on all flotation devices and/or weighted devices such as toggles and/or leaded lines.
12. Allow 1,100-pound weak links on buoys in Grand Manan Channel due to extreme tides in the area.
13. Allow a 1,100-pound weak link at the junction and 600 pound weak link at the surface buoys in Northern Inshore and Northern Nearshore Lobster Waters.

Federal Whale Take Reduction Plan Alternatives (Cont'd)

14. Prohibit coils of rope (i.e. shanks; wraps of excess buoy line just below the buoy which act as storage) on the buoy line.
15. Phase-in a percentage of non-floating groundline annually in "high risk" areas (not yet defined) by a certain time period (e.g. *25% use of nonfloating groundlines annually, 100% in four years*).
16. Maintain ALWTRP universal requirement that requires buoy lines to be as knotless as possible.
17. Consider effort reductions occurring through Fishery Management Plans (FMPs), either by building in reductions or considering present reduction plans.
18. Consider expanding exempted areas (see proposals in "Exempted Areas" section).

The time schedule for this rulemaking will be fairly fast by federal standards. A Draft Environmental Impact Statement is due by this fall, with proposed final rules due by late fall. It is conceivable that new whale rules will be in place by fishing year 2004 so we encourage you all to pay very close attention.

Maine Whale Update and Gear Research

The issue of entangled whales is bigger than ever. Last year there were eight entangled right whales and five mortalities. Five entangled right whales have been reported so far this year, and the global pressure to solve the problem of entanglements is mounting. With the fishing industry in the spotlight, we collectively need to come up with workable solutions. Although Maine is recognized at the Federal level as a proactive model of industry collaboration with our Whale Sightings and Disentanglement Networks, it is widely agreed that disentanglement isn't the final answer. As a result we have shifted the focus of the Maine Whale Plan towards gear modification research and testing.

Despite Maine's Take Reduction Team members being able to convince the Team's conservation and academic members that Maine's coast is indeed uniquely different than the rest of the eastern seaboard and that given the wide range of rocky/tidal habitats in the Northern Gulf of Maine, the use of poly rope need not be prohibited - only its profile reduced; floating groundlines are being targeted as a primary concern in large whale entanglements. It is critical to examine and document the operational need for floating rope in Maine waters, and this past winter DMR conducted several underwater video pilot projects looking at the profile of groundlines in three disparate areas. The ROV work will continue this summer filming lobster gear in coastal and nearshore waters from Kittery to Lubec. Please plan to check out the ROV project in your area, as this will be the chance for you to view your gear while it is actually fishing. The schedule will be published as soon as it is determined.

We hope the lobster industry will help develop and test gear modifications to reduce the profile of float rope while still serving the operational needs of the fisherman, and invite any interested fishermen to be part of this project. The results of this comprehensive survey will help establish workable gear solutions for potential entanglements along Maine's coastline. If you have thoughts about how to modify poly groundlines to reduce their profile, or if you are interested in participating in the ROV project, please call Laura Ludwig (633-9513) or Terry Stockwell (633-9556).

Reports of Tagged Lobsters Requested

The Lobster Conservancy is tracking lobster movements in a collaborative study sponsored by the **Northeast Consortium**.

Three pieces of equipment are attached to each lobster:

1. The **BLUE** tag has our phone number and the lobster's identification number
2. The tag beneath the Duck Tape is a transmitter that allows us to "hear" the lobster remotely
3. The tag on the "wrist" records temperature

PLEASE DO NOT REMOVE TAGS FROM EGGERS OR MALES

Call The Lobster Conservancy at 207-832-8224 with questions or to report a recaptured lobster.

Please report the following information:

- Your name and phone number
- Date of capture
- Lobster identification number
- Location (lat/lon or Loran)
- Depth and bottom type (hard, mud)
- Color of eggs (dark black or green; brown; clear with dots; orange)
- Sex of lobster (male or female)
- Number of claws

*ASMFC Updates***Area 2 Lobster Stock Decline**

The lobster stock in Southern New England is at an all time low. This factor, combined with health issues plus an increased effort and efficiency has resulted in the Lobster Management Board initiating another Addendum to the Interstate Lobster Management Plan. The goal of the Addendum is to "reduce the fishing mortality rate in Area 2 in 2004 to a level that will allow for stock rebuilding." The potential list of options will include trap reductions, closed areas, closed seasons, quotas, an increased combination of existing measures and a moratorium on fishing. These proposed measures have a very mixed response from industry.

Massachusetts V-Notch Compliance Jumps

Massachusetts lobstermen are doing their very best to comply with the ASMFC mandatory zero tolerance v-notching rule. Based on recent information from the Lobster Technical Committee, the Massachusetts v-notch compliance rate has jumped from less than 1% in 2000 to roughly 32.5% in 2002. This is very good news as, although this measure is the cornerstone of the LCMT 1 plan, there was significant opposition to it from both members of Massachusetts industry and their Commissioner. The ASMFC Lobster Management Board will continue to monitor their v-notch percentage as Addendum 2 to the Interstate Plan contains a caveat that allows for additional management measures to be developed if the Massachusetts does not achieve a 50% v-notch compliance rate by the end of 2002.

Most Restrictive

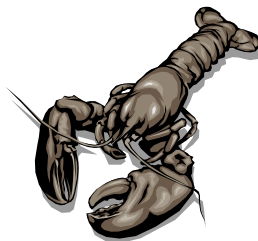
At its June meeting, the ASMFC Lobster Management Board voted to move forward with a proposed modification to the interpretation of the most restrictive rule for multi-area fishermen with regard to trap allocations. Other provisions, such as gauge and vent sizes, will still be subject to the most restrictive rule by area. The Board will review this proposal at their next meeting in August before it is included in the next Addendum to the Interstate Lobster Management Plan. Public hearings will be scheduled at a future date.

Outer Cape Lobstermen Plan To Sue Again

The Outer Cape Lobstermen's Association is once again seeking legal intervention to allow for the implementation of a conservation equivalency for v-notching. They are planning to reactivate an existing lawsuit that questions the effectiveness of the interstate plan - end overfishing by reducing fishing mortality by 25% from 1998 levels. Losing their bid to propose a conservation equivalency for v-notching in 2001, they are arguing that the current Area 1 Plan that relies upon zero tolerance v-notching and a maximum gauge, falls well short of the ASMFC legal mandate.

Vent Modifications To Be Proposed In Addendum 4

The Lobster Management Board recently voted to propose that both circular and rectangular vent sizes be increased in the next addendum to the interstate lobster plan. A new vent study conducted by the Massachusetts Division of Marine Fisheries generated new data and selectivity curves. After reviewing this data, the Technical Committee recommended that the circular vent be increased from 2-1/2 to 2-5/8". Further, the Technical Committee recommended that for any area that elects to raise their minimum gauge to 3-1/2", that the corresponding vent sizes be 2-1/16" x 5-3/4" rectangular and 2-11/16" circular.



Attention Lobstermen: Lobster Health Notice

The Department of Marine Resources (DMR) is interested in learning about observations of diseased, weak or dead lobsters you may see in your lobster traps. Shell disease and weak lobster syndrome are caused by naturally occurring organisms (bacteria and amoebae) and may contribute to decreased survival in lobsters. These organisms do not pose a health risk to humans. The incidence of shell disease has increased dramatically in Rhode Island, southern Massachusetts and eastern Connecticut coastal waters, and may have contributed to a rapid decline in landings since 1999. Weak lobster syndrome has been implicated as one of many factors that may have contributed the decline of lobster stocks in Long Island Sound since 1998.

Current DMR sampling programs have not identified significant concentrations of diseased, weak or dead lobsters in Maine. The DMR has received scattered reports of shell disease from Kittery to Winter Harbor this spring. **The DMR and industry are very interested in documenting the occurrence of these symptoms on the coast of Maine.** In June, the DMR Lobster Advisory Council approved funding of a study to document and characterize diseased lobsters in Maine's waters.

Researchers at the Bigelow Laboratory for Ocean Sciences will build on existing lobster health work in southern New England and Long Island Sound. Funding currently allows processing 5 diseased and 5 healthy lobsters each month. **Legal** lobsters can be transported directly to the DMR lab in Boothbay Harbor, or can be called in for pickup by DMR staff (contact # 207-633-9538). Each diseased lobster must have a "normal" control lobster from the same area for comparison. **The DMR is not asking fishermen to retain illegal lobsters. It is unlawful to possess illegal lobsters at any time.** Current research indicates that there is no compelling reason to remove diseased or weak lobsters from the population.



An example of a lobster showing advanced shell disease, caught in Maine's waters this spring.

What to do if you find a weak or diseased lobster:

Immediately Contact: Carl Wilson at 633-9538 or carl.wilson@maine.gov

Report:

Size and condition of lobster
Location, depth and substrate where captured

Transport:

Please isolate lobster in crate
Retain one additional "normal" lobster from the same area
DMR staff will arrange for collection and reimbursement of lobsters

MEMO TO LOBSTER APPRENTICE AND STUDENT LICENSE HOLDERS

TO: ALL LOBSTER APPRENTICE AND STUDENT LICENSE HOLDERS

CC: MARINE PATROL

FROM: LISA COTE, LICENSE ELIGIBILITY SPECIALIST

RE: CHAPTER 25 REGULATION UPDATE NOTICE - **THE 5-HOUR MINIMUM REQUIREMENT HAS BEEN REMOVED.**

Chapter 25.96 Lobster Apprentice Program

Effective **March 24, 2003** lobster and crab apprentice and student license holders will be given credit, for 1 day for every entry made into their log sheet towards the 200 day requirement. The 5-hour **minimum** requirement has been removed. You may also receive credit for time worked beyond 5 hours to meet the minimum hour requirement of 1,000 hours.

- Daily log entries cannot go below 1 hour, no minutes
- The two year requirement remains in effect
- Apprentices may document up to 200 hours (20%) on gear work. Gear work does not include boat maintenance

Apprentice license holders are **required** to have their log books/sheets signed every 250 hours by your local Marine Patrol Officer. If you have logged time beyond 250 hours (or 50 days by previous criteria) you must contact your local Marine Patrol Officer for review of the logged time or the time **will not** count towards your days documented under the apprentice program.

After obtaining your local Marine Patrol Officer's signature, please forward the documented time to:

Lisa Cote, License Eligibility Specialist
Department of Marine Resources
21 State House Station
Augusta, Maine 04333-0021
(207) 624-6549

Marine Patrol Officers should make every effort to require license holders to follow this requirement.

Lobster Advisory Council Update

The Lobster Advisory Council last met on May 21st in Boothbay. Agenda items included: ASMFC discussion on the most restrictive rule and the Area 2 stock crash; whale discussion on the upcoming NMFS scoping meetings concerning proposed changes to the Take Reduction Plan - which may include a poly rope buyback/recycling program and exemptions for requiring gear modifications within some State waters; Legislative updates (see page 17 of this newsletter for the status of each of the bills); discussion on the Seed Lobster Fund sub-committee's recommendations including a recap of the seed lobster fund intent and input from each of the representative's zones; and a discussion concerning the creation of a lobster health management sub-committee to work with Marine Patrol and establish some procedures in dealing with diseased lobsters. The next Lobster Advisory Council will be held in the fall. Items will include continued discussion on Apprenticeship Requirements Pertaining to Extraordinary Circumstances (LD 277) (see page 18), shell disease and developing a set of by-laws for the Lobster Advisory Council.

Zone Council News

Common issues for all Zones include lobster health, the lobster seed fund, "Most Restrictive Rule", the federal right whale requirements, new legislation and electing officers/representatives at each of the zone's fall meetings.

Zone A: Zone A met on July 31st in order to meet new members and elect officers. The new Chairman and LAC representative is John Drouin. Jeremy Cates will continue as Secretary and serve on the LCMT Area 1 Panel. Oscar Look, Jr. will serve as the Vice-Chair. The agenda also included brief updates on the gray area, proposed whale rules, shell disease and ASMFC issues. The date for the fall/winter meeting has not been set.

Zone B: Zone B last met on April 2nd. Agenda items included the lobster seed fund, new legislation and a discussion on lobster science and shell disease. The Swans Island Trap Limit Committee has been meeting to discuss increasing the trap limit on Swans Island, as well as modernizing the original Island regulations. Zone B will be meeting again in the fall.

Zone C: Zone C met on June 4th to discuss new legislation and the lobster seed fund. The majority of the Zone C Council wants to see some of the seed fund used toward hatcheries. Carl Wilson was also present to discuss lobster science and shell disease. Zone C will be convening in the fall.

Zone D: Zone D met on May 14th. Delegates gave reports on the Lobster Advisory Council, the LCMT, Whales and the Commercial Fishing Safety Council. Sherm Hoyt presented a follow-up on Marine Protected Areas from the Fishermen's Forum. Carl Wilson gave a presentation about shell disease. Members also discussed the exit-entry ratio time line. The DMR Advisory Council will be voting on their proposed 5:1 exit ratio on September 10th. Information resulting from that vote will be available at their next meeting, which is scheduled for September 23rd at 6:30 p.m. at the Rockland Ferry Terminal.

Zone E: Zone E met in January to discuss the titles submitted by legislators. Zone E proposed new legislation to include the: 3-mile authority; new apprentice options for Zone E and the new Non-Commercial Lobster License Criteria. Zone E is planning to hold an early fall meeting to continue entry discussions.

Zone F: Zone F met on May 6th to discuss new legislation and the lobster seed fund. Carl Wilson was present to discuss shell disease and answer questions, such as: Should the diseased lobsters be removed from water? And if so, what should be done with them? Their next meeting is scheduled for September 16th at 7:00 p.m. at the Harrison Middle School in Yarmouth.

Zone G: Zone G met on May 14th to discuss double-tagging. Deputy Commissioner Etnier gave a legislative update. Laura Ludwig was also present to discuss whales. Lobstermen were recently invited to a Kittery meeting held on July 30th to specifically address shell disease protocols.

For more information concerning the meeting dates and/or other issues, please contact your local zone council representative, Sarah Cotnoir at the DMR at 624-6596, or the DMR web page at www.maine.gov/dmr.

Blaine House Conference on Natural Resources

Gov. John Baldacci has called for a conference November 17th on Maine's Natural Resource-based Industries: Forestry, farming, fishing, aquaculture and tourism. The purpose of the conference is to develop policy initiatives that will support and strengthen these important industries. Work is already underway to define what the major issues are and how the state can help to address them. For the lobster industry, discussion has focused on creating a mechanism to fund additional science work, so that the health of the resource can be more clearly understood. A few others have suggested that the time may be right for reducing the maximum number of traps. At this point, we hope to stimulate dialogue. Policy initiatives will be developed in the late fall, based on the public discussion. Jim Wilson has written a concept paper which is posted for public comment on the DMR website. Your thoughts and comments are most welcome and can be sent in writing to: Sue Inches, DMR, 21 State House Station, Augusta, ME 04333. Or email: sue.inches@maine.gov.

Seed Lobster Fund Update

The Commissioner, with advice from the Lobster Advisory Council, annually allocates the amount of money to be expended for the purpose of purchasing seed lobsters from Maine lobster pound owners who are holders of current wholesale seafood licenses. The funding for this program comes from the Seed Lobster Fund, which is generated through a portion of lobster license fees.

If estimates from pound owners are less than the funds allocated for purchase of seed lobsters, the Commissioner may purchase female lobsters by competitive bid up to the amount remaining in the seed lobster purchase allocation for the current year.

Following last year's female lobster purchase project, some of the Lobster Advisory Council representatives proposed that the amount allocated per zone for the purchase of female lobsters be allowed to be returned to the Seed Lobster Fund, with the understanding it would be dedicated to lobster research. The intent of donating the money back to the Seed Lobster Fund was to accumulate resources earmarked for coast-wide lobster research to help with future management decisions, rather than zone-specific research projects.

This year the Lobster Advisory Council voted to recommend that at least \$50,000 of the Seed Lobster Fund be allocated for research. An additional amount of \$70,000 was allocated for the purchase of female lobsters to be v-notched and released. However, some of the Zones preferred to assign part or all of their allocation to general lobster research with priorities to be recommended by the Seed Lobster Fund Sub-Committee. Any amounts not used to purchase female lobsters would be additional funds added to the \$50,000 research allowance.

The Lobster Advisory Council Zone reps reported back whether their Zones wanted to purchase female lobsters or have the money remain in the Seed Lobster Fund for research. Zone A elected to purchase \$10,000 worth of female lobsters for v-notching and liberation. Zone G elected to purchase \$5,000 worth of female lobsters and allocate \$5,000 for research. The remaining five Zones allocated \$10,000 a piece to be added to the base of \$50,000 for an amount allocated for lobster research totaling \$105,000.

The Seed Lobster Fund Sub-Committee reviewed ten proposals totaling \$241,883 and forwarded recommendations to the Lobster Advisory Council. Based on the Lobster Advisory Council's recommendations, awards were announced and offered to the bidders; with the understanding that revised budgets/scope of work contracts must be submitted. As this process is still ongoing, for the final list of award recommendations, please contact Sarah Cotnoir at 624-6596 or sarah.cotnoir@maine.gov.

2003 Female Lobster Purchase

DMR is seeking bids from wholesale seafood license holders in Zones A and G, who are willing to sell female lobsters to the DMR for the purpose of v-notch and liberation. We expect to be purchasing and releasing the lobsters the first week of September. V-notching, and equitable distribution of the females throughout the zone will be achieved through interested zone fishermen working with local marine patrol officers.

As one of the uses of the Seed Lobster Fund is to purchase female lobsters from wholesale seafood license holders for the purpose of liberation in Maine's coastal waters, the Lobster Advisory Council recommended each zone should decide whether funds should be spent to purchase females in their area, or for the statewide research program. Zone A chose to purchase females, and \$10,000 has been made available for that purpose. Zone G chose to split the funding between females and research, so \$5,000 is available to purchase females.

DMR will accept only healthy, female, 2-claw, boat run, Maine lobsters. Once the dealer bids have been received and evaluated, and dealers have been selected to participate, the DMR will develop a schedule for purchases. Our goal is that all purchases will occur in early September. If you have any questions about this program, please call Deirdre Gilbert at 624-6576.

Lobster Sea Sampling

The DMR would like to thank all participating lobstermen for their cooperation in this program; this collective effort supports the future for the lobster fishery.

The Department of Marine Resources sea sampling program began collecting at-sea catch/effort and biological information from the near shore Maine lobster fishery in 1985. At that time three ports (Cape Porpoise, Boothbay Harbor and Tenants Harbor/Spruce Head) were sampled during the season May to November. In 1998 the program expanded to include all seven lobster zones throughout the fishing season with 18 boats participating. Since 1999 all seven lobster zones are visited three times monthly from May through November weather and volunteer availability permitting.

The sea sampling data is collected to look at spatial and temporal trends in the lobster fishery for catch per unit effort and size distribution information for discarded as well as landed catch. This data represents catch by zone on a monthly and yearly basis. The purpose of collecting the data is to monitor the health of the fishery. Aside from documenting the discarded catch, the data is used to document significant resource issues such as shell disease and v-notching activity. It is used to report on the state of the fishery to other management agencies and back to the fishermen. It will also play an important role as the primary source of fishery dependent data in the next lobster stock assessment.

In 2002 DMR samplers contacted over 50 new fishermen and were able to go out on 98 different boats from 40 different ports totaling 172 trips (Table 1). Specific biological data was captured for 116,652 lobsters in over 99% of traps hauled. The DMR completed the first year of a pilot program in cooperation with the Island Institute in Rockland, Maine. Community island samplers collected lobster data from under sampled and remote islands including Matinicus and Vinalhaven.

For 2002 legal catch rates peaked for all zones in October. Zones C and D had the highest average catch rate for legals (1.73 and 1.61 legals trap haul-1 respectively) for all months sampled while Zone E averaged the greatest number of sublegals, 2.79 trap haul-1 (Table 1).

Totals by Zone	A	B	C	D	E	F	G	Total
Trips	20	23	37	34	20	20	18	172
Traps Hauled	3,939	5,007	7,224	6,828	3,580	4,611	2,923	34,112
Boat Hours	161	189	332	292	183	170	144	1,469
Total Lbs	7,795	8,804	17,632	15,158	6,039	6,134	4,637	66,198
Total Lobster	11,191	14,220	24,934	23,151	17,301	14,310	11,545	116,652
Legals	5,725	7,259	12,782	11,156	5,786	5,168	4,064	51,940
Sublegals	4,854	5,504	9,554	10,078	10,128	7,868	6,710	54,696
Illegals	612	1,457	2,598	1,917	1,387	1,274	771	10,016
Oversize	66	53	88	34	23	6	7	277
Berried	157	230	536	437	326	324	277	2,287
Berried with v-notch	84	148	356	195	193	154	140	1,270
Berried w/o v-notch	3	10	17	3	20	3	2	58
Berried notched on board	70	72	163	239	113	167	135	959
Nonberried with v-notch	505	1,362	2,599	1,907	1,604	1,482	753	10,212

CPUE by Zone	A	B	C	D	E	F	G
Legals/Th	1.44	1.41	1.73	1.61	1.57	1.11	1.33
Sublegals/TH	1.43	1.16	1.40	1.56	2.79	1.78	2.32
Illegals/TH	0.18	0.35	0.45	0.35	0.49	0.34	0.30

CPUE are based on 99% of lobsters measured

Table 1. *The monthly sea sampling totals recorded for the 2002 season. The sampling design calls for each lobster management zone (A through G) to be sampled at least three times monthly.*

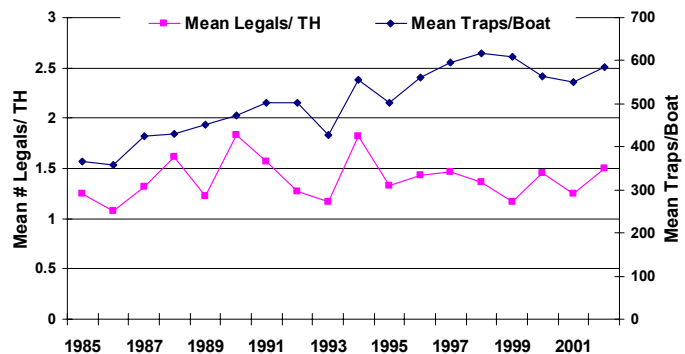
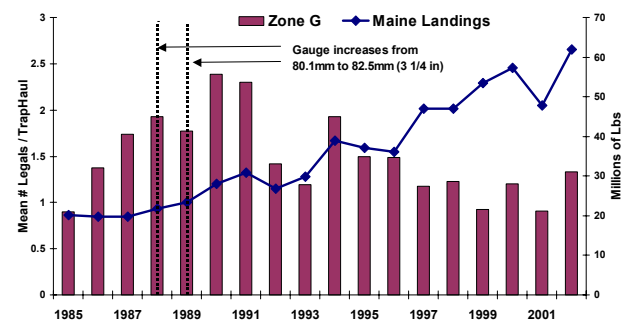
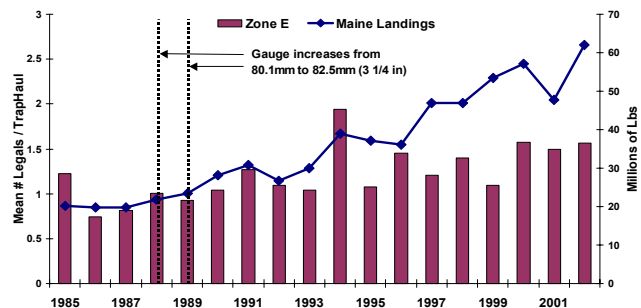
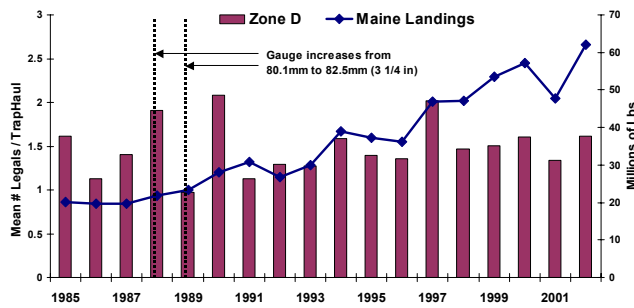
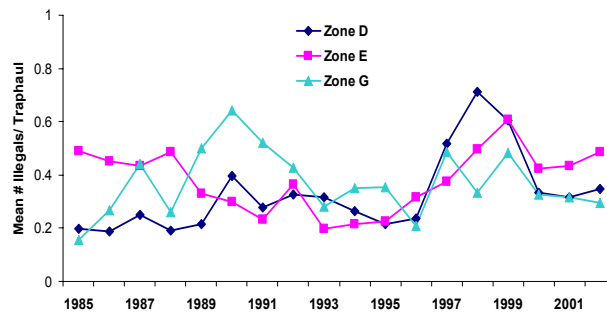
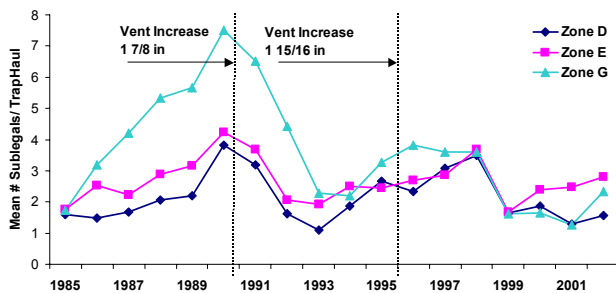


Figure 1a. CPUE Legals- The catch per trap haul of legal lobsters from 1985-2002 for Zone D, E and G (based on sea sampling surveys) and annual Maine landings. **Figure 1b. Effort Data-** The annual average catch per trap haul of legals for all zones and the annual average number of traps fishing per boat (based on port sampling survey).



Figures 2a. & 2b. CPUE Sublegals and Illegals -The catch per trap haul of sublegals and illegals from 1985-2002 for Zones D, E & G.

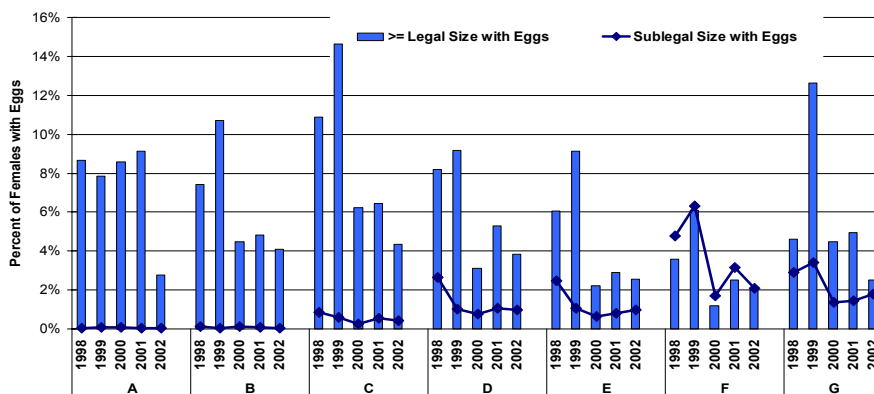


Figure 4. Sublegal Eggers - The percent of berried females observed in the catch above and below minimum gauge size (3 1/4 in) for all zones from 1998.

Lobster Landings

Why we need them and how we are planning to improve them!

Fisheries scientists and managers face the difficult task of assessing marine resources without the ability to directly, see, count, or measure fish or fishermen. Landings data are a key component of all fishery stock assessments. Landings data also provide a history of changes in the fishery, trends in abundance if fishing effort is also available, are used for quota management and other measures to conserve stocks, and can be most useful to fishermen in the event of natural or manmade disasters. Maine's landings program is currently a mix of voluntary dealer reporting for some species (lobster) and mandatory dealer or harvester reporting for others (shellfish, sea urchins, sea cucumbers, elvers, seaweed, marine worms, herring, shrimp, etc.). Federally-managed species such as groundfish have mandatory reporting programs. In Maine, both the state and the National Marine Fisheries Service have responsibility for collecting landings data.

The Department of Marine Resources (DMR) wants to work with the fishing industry to improve the accuracy of Maine landings. Current assessments and management strategies are hindered by a lack of data and inconsistencies in data collection programs. The resulting uncertainties in the data and the assessments upon which they are based make it difficult for managers and fishermen to balance the needs of the fishermen with the conservation requirements of the resource. Management strategies that are too conservative could result in undue economic hardship on fishermen and fishing communities, while those that are not conservative enough could result in fisheries' declines.

Landings data benefit the industry in other ways than just for fisheries management. The DMR landing program coordinator has received several lobster data requests directly from the industry or for the benefit of the industry. For example, some dealers use landings to look for trends and better plan their buying strategies for the year. A fisherman called looking for data, concerned that his zone was being overfished and wanted to see if the data demonstrated that. The Lobster Promotional Council has called looking for landings to promote the industry; several real estate/ business evaluation companies have called as they research the value of businesses looking to sell or buy property; a company that sells lobster traps wanted to view data to better plan where to concentrate their advertising efforts; and a doctor who was doing research for a lobstermen's hazards workshop called looking for information. These are just a few of the requests that we have received regarding the lobster fishery.

Maine is a partner in the Atlantic Coastal Cooperative Statistics Program (ACCSP). The ACCSP is a cooperative state-federal program to design, implement, and conduct marine fisheries data collection programs and to integrate those data into a single data management system that will meet the needs of fishery managers, scientists, and fishermen. The ACCSP cooperative effort will lead to increased credibility in fisheries data and more confidence in fisheries management decision-making for all involved.

As an ACCSP partner, the DMR is working to collect and manage data necessary to foster sustainable coastal fisheries. Data collection for both commercial and recreational fisheries in Maine is key to maintaining the state's abundant fish stocks and protecting the livelihood and fishing opportunities of thousands. The DMR's goal is to work with the Maine fishing industry, both dealers and harvesters, to begin to collect standardized landings data like other states along the Atlantic coast.

As a first step, the DMR met with lobster dealers and the Lobster Advisory Council who expressed concern about the accuracy of reported lobster landings. A regulation is now proposed that will require mandatory reporting of lobster landings by all dealers. Public hearings on the proposed rule will be held later this summer. The proposed rule specifies that persons holding any dealer license and that buy any marine organism directly from harvesters shall obtain a Primary Buyer Permit. There will be no additional charge for this permit. For those lobster dealers holding a Primary Buyer Permit, the following information from harvesters landing their product in the State of Maine must be recorded and reported on forms provided by the Commissioner:

- (a) Dealer Name (business name)
- (b) License number
- (c) Dealer phone number
- (d) Port landed
- (e) Report month and year
- (f) Designate month and year if making a negative report.
- (g) Price and total pounds for each species price category purchased directly from harvesters for the reported month.
- (h) Number of transactions (trips) made for the reported month.
- (i) Any other information requested by the Commissioner

Lobster Landings (Cont'd)

Future steps to improve the accuracy of all Maine landings data, including lobster landings, will be to collect trip level information. This will include the trip date, vessel, harvester, species, quantity, disposition of the catch, price, gear type and quantity, trip length and fishing time, number of crew, area fished and number of sets. The DMR is looking forward to working with both harvesters and dealers to collect this information. Our intent is to develop innovative means such as the electronic logbook project advertised elsewhere in this newsletter to make this as easy as possible. All landings data are protected under the State's statute on confidentiality of statistics and cannot be released by the DMR or the ACCSP in a way that an individual dealer or harvester could be identified. By working with the DMR to collect good data, the seafood industry can support good management and help to ensure the sustainability of Maine's marine resources.

Maine Department of Marine Resources Seeking Volunteer Dealers

DMR is exploring new options to make dealer reporting easier and faster. We need your help to design and participate in a proposed experimental electronic reporting system. It is easy to use, reduces your paperwork, prints receipts for your harvesters, and automatically sends the information to DMR. The system also includes an extra service for dealers – your information will be automatically tallied into reports for you to view at any time. Harvesters are not identified in this process, making the system completely anonymous for them. All your work is done in a click of a button, at no expense to you! DMR buys all the equipment and supplies necessary. Please join the Department in exploring new ideas and innovations in electronic reporting. Contact Heidi Bray at (207) 633-9504 or heidi.bray@maine.gov for more information.

Marine Resource License Fees Increase in 2004

As everyone is likely to be aware, the Governor and the Legislature faced a challenging task during the past legislative session in coming up with a balanced budget for Fiscal Year 04/05. The State faced a deficit of over \$1 billion, and every state agency was asked to do their part to reduce spending. DMR was asked to reduce general fund spending by 15%. The Department functions that rely most heavily on the general fund are public health and marine patrol, so those were the areas that were likely to be most heavily impacted. It appeared that 12 Department positions would need to be eliminated, including the 3 area biologists that support the municipal clam management program. When this information became public, a number of stakeholder groups came forward to state that they'd rather have fees increased than see Department functions eliminated. At DMR's appearance at the public hearing before the Appropriations Committee, many industry members testified to that effect. The final budget package included an across-the-board increase in all marine resource licenses of 25% of the general fund portion of the license. License surcharges, such as the lobster promotion surcharge, were not increased at all.

Strong industry support before the Appropriations Committee was a primary reason that the license fee increases were included in the final budget package. The fact that license fees had not been raised in 11 years was another reason that the Legislature and the Governor were willing to support the increases. A chart showing the 2004 lobster license fees is provided below:

LOBSTER - 2004		SEAFOOD DEALER- 2004	
Lobster/crab app over 18	114.00	Retail Seafood Dealer	106.00
Lobster/crab app under 18	56.00	Shellfish Transportation	460.00
Lobster/crab Class I	145.00	* Shellfish Transportation Supp	150.00
Lobster/crab Class II	291.00	* Wholesale No Lobsters	385.00
Lobster/crab Class III	435.00	* Wholesale with Lobsters	635.00
Lobster/crab over age 70	56.00	Wholesale with Lobster Supp	75.00
Lobster/crab student	56.00	Wholesale Supplement	75.00
Lobster/crab under age 18	56.00	Lobster Meat Permit	138.00
Non-Commercial Lobster/crab	56.00	Lobster Transportation	271.00
		Lobster Transportation Supp	54.00
* Includes Lobster Promotion Council surcharge			

Preliminary Lobster Data From the ME/NH Inshore Trawl Survey

This spring's survey began on May 5, 2003 in New Hampshire waters and finished on June 6, 2003 along the Canadian border. 101 out of 106 possible tows were completed. This spring a fourth stratum was added to enlarge the area covered by the survey and to increase the overlap with the NMFS survey area.

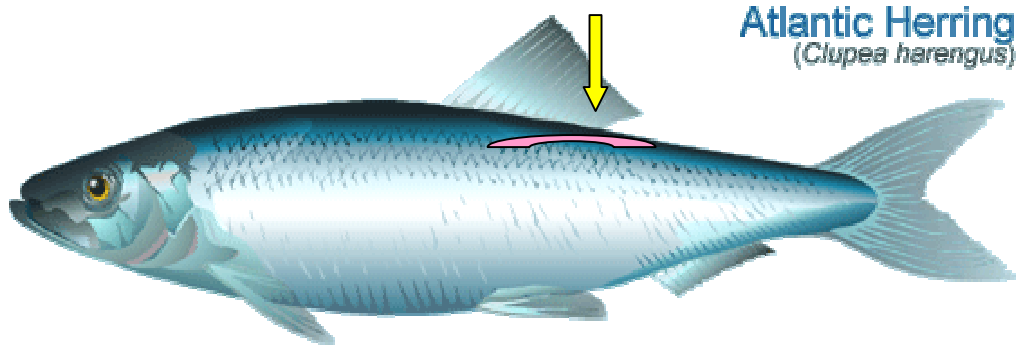
A total of 4,394 lobsters were caught overall, 2,126 females and 2,268 males. That compares to a combined total of 4,805 in spring 2001 and 8,671 in spring 2002. The bottom water temperatures were low compared to last spring (2002), 37.5° F for the week of May 5th and 41.5° F for the week of June 2nd. Corresponding temperatures from spring 2002 are 41.0° F and 44.0° F. Water temperatures for the spring of 2001 were comparable to the 2003 values. This could explain the decrease in the total number of lobsters caught. Below is a table that shows the average catch of lobsters and the corresponding mean carapace length for each region and depth stratum along the coast.

		Mean Number per Tow		Avg. Carapace Length (mm)	
		Females	Males	Females	Males
<u>Region 1</u>					
So. ME/NH	<20 fathoms	14.75	17.50	67.85	69.67
	21-35	38.80	50.00	65.08	65.48
	36-55	6.67	9.00	70.83	70.52
	56-90	0.60	0.80	91.00	87.75
<u>Region 2</u>					
Mid-Coast	<20 fathoms	36.33	38.17	67.76	69.04
	21-35	67.60	77.60	59.89	62.88
	36-55	3.40	3.00	77.53	76.20
	56-90	0.40	0.00	110.00	-----
<u>Region 3</u>					
Penobscot Bay	<20 fathoms	34.25	43.25	68.04	69.84
	21-35	44.50	51.17	65.29	67.40
	36-55	11.00	8.50	77.86	83.24
	56-90	2.50	0.25	101.70	156.00
<u>Region 4</u>					
Mt. Desert Area	<20 fathoms	29.20	41.40	71.06	72.21
	21-35	15.20	17.80	71.11	69.29
	36-55	10.17	6.50	79.30	83.36
	56-90	3.50	0.75	102.00	115.67
<u>Region 5</u>					
Schoodic to Canada	<20 fathoms	61.50	51.50	68.07	68.69
	21-35	31.50	21.50	65.47	66.20
	36-55	13.29	13.00	71.16	71.42
	56-90	3.60	1.00	96.56	112.20

Thistle Marine Electronic Logbooks—Carl Wilson

The first electronic logbook was installed in May 2000. Since that time, fishermen have counted nearly a million lobsters from Cutler to Massachusetts. This information is already providing valuable data on the spatial distribution and seasonal catch rates in the lobster fishery. As the program is established, we hope that electronic logbooks will be an essential component to DMR's lobster monitoring programs. We envision that electronic logbooks could be a valuable assessment tool, as information is collected daily and over a wide geographic range. We continue to seek new volunteers to participate in this exciting project. To date approximately 75 units have been distributed to fishermen from Maine to Massachusetts. The DMR will cover ALL COSTS associated with this program, including the cost of the box, installation and monthly fees. Your daily catch information can be accessed by a secure website at www.thistlemarine.com. For fishermen who worry about problems associated with counting every lobster from every trap, systematic sub-sampling can greatly reduce the time involved. As little as 25 traps every day, over the course of the season, can provide a rich source of data. If you are interested in receiving an electronic logbook and collecting valuable data, please feel free to call me (633-9538). Speak up and start counting!!

Wanted



*(The older version of the spaghetti tag is yellow, the newer version of the tag is pink.
Please return both types of tags.)*

ATLANTIC HERRING RESEARCH TAGS

\$1,000 U.S.

REWARD

TO WINNER OF ANNUAL LOTTERY

**PLEASE SEND TAG, DATE, LOCATION OF CAPTURE,
NAME AND ADDRESS TO:**

**DMR Att. Herring Tagging Project
PO BOX 8, W BOOTHBAY HBR, ME 04575**

*Lobster Legislative Changes
121st Legislature, 1st Session*

The 1st Regular Session of the 121st Legislature adjourned on Saturday, June 14, 2003. The Marine Resources Committee had begun their work back in January with ten bills that potentially would have directly affected the lobster industry. By the end of the session only two of those bills had passed, and both of those had been amended by the Committee. These were LD 703, *An Act to Change the Options for a Lobster Management Zone and to Change Entry Criteria for Noncommercial Licenses* and LD 1368, *An Act Concerning Age Requirements for Student, Apprentice, and Noncommercial License Holders*. The changes made to the lobster statutes are as follows:

New Zone E Council Authorities: Upon approval through a zone referendum, the Zone E lobster council may propose to the Commissioner rules for Zone E that do any or all of the following:

- Increase the length of time an apprentice must be enrolled in the apprentice program up to a maximum of 5 years. A proposal to increase the length of enrollment does not apply to apprentices enrolled in the program at the time the proposal takes effect;
- Require a sponsor of an apprentice to have held a Class I, Class II or Class III lobster and crab fishing license for at least 5 years; or
- Require that an apprentice may enter Zone E only if he/she apprenticed in Zone E.

(Effective September 13, 2003; LD 703; Public Law Ch. 466)

New Requirements for Noncommercial Lobster Licenses: Applicants for a noncommercial lobster license must declare the lobster zone in which they will fish, and the vessel from which they will fish. The Department is prohibited from issuing more than 10 trap tags per vessel, regardless of the number of noncommercial license holders who declare that vessel. (Effective September 13, 2003; LD 703; Public Law Ch. 466)

Age Requirements for Obtaining a Lobster License: Applicants for a student, apprentice, or noncommercial license must be at least 8 years old.

A graduated trap system is established for student license holders where the maximum number of traps allowed is determined by the license holder's age:

- 8 years of age or older and under 11 years: 10 traps
- 11 years of age or older and under 14 years: 50 traps
- 14 years of age or older and under 23 years: 150 traps

Current license holders who are under the age of 8 are grandfathered and will be allowed to keep their licenses, although they will be subject to the new trap limits. Current license holders over the age of 8 are grandfathered and will be allowed to continue to fish up to 150 traps as long as they are student license holders. (Effective September 13, 2003; LD 1368; Public Law Ch. 468)

The final status of all of the other lobster bills is as follows:

Carried Over to the Second Session (the Legislature will convene January 7th, 2004):

LD 276: *An Act to Allow the Sale of Lobster and Crab Fishing Licenses*

Did not Pass:

LD 169: *An Act to Waive the Apprenticeship Requirement for a Lobster and Crab Fishing License*

LD 207: *An Act to Limit Lobster Management Zones to State Coastal Waters*

LD 277: *An Act to Amend the Eligibility Requirements for a Lobster and Crab Fishing License*

LD 591: *An Act Regarding Requirements for Obtaining a Lobster Fishing License*

LD 835: *An Act To Allow a Select Group of Former Lobstermen To Obtain Lobster Fishing Licenses*

LD 900: *An Act Regarding Eligibility for a License To Harvest Marine Organisms for a Person Who Served in the United States Armed Forces or United States Coast Guard*

LD 1382: *An Act To Increase the Trap Limit for Swan's Island to the Maximum Lobster Traps Allowed in Federal Waters of Zone B*

If you have any questions about any of the above bills, please call Deirdre Gilbert 624-6576.

Discussion Continues Over Lobster License Eligibility

The Marine Resources Committee heard 5 bills during the past legislative session that proposed changes to the eligibility for lobster licenses by waiving the apprenticeship requirement for individuals who had previously held lobster licenses, under certain circumstances. Although each of these bills was ultimately defeated, the majority report for LD 277 did include sending a letter to DMR requesting that the issue be examined to determine if the current system can be made to operate in a more equitable and efficient manner (see below). The minority report of the Committee had proposed the creation of an Appeals Board to hear extraordinary cases, but was defeated on the floor of the House (78-61). The Department intends to continue to examine this issue with the assistance of the lobster industry. It will be an agenda item of the Lobster Advisory Council this fall. If you have thoughts on this topic, please contact Deputy Commissioner David Etnier at 624-6550.

Marine Resources Committee Letter for LD 277

MEMORANDUM

TO: George Lapointe, Commissioner, Department of Marine Resources

FROM: Senator Dennis Damon, Senate Chair
Representative Thomas Bull, House Chair
Joint Standing Committee on Marine Resources

DATE: May 9, 2003

SUBJ: Apprenticeship Requirements Pertaining to Extraordinary Circumstances

During the First Regular Session of the 121st Legislature, the Joint Standing Committee on Marine Resources addressed a number of bills regarding the issuance of lobster and crab fishing licenses. During the public hearings on these bills and subsequent work sessions, the committee repeatedly heard impassioned testimony regarding the fairness of the apprenticeship requirement for veteran fishermen who sought to reenter the lobster fishing industry after that fisherman's license had lapsed due to extraordinary circumstances. As you may recall, we heard testimony about cases that involved career military service, health problems and financial hardship that precipitated in the lapsing of lobster fishing licenses.

Given the economic importance of these licenses for both the lobster fisherman and the State's economy as a whole, we are deeply concerned that these lobster fishermen may be unnecessarily delayed from returning to the sea because the current system may not adequately address situations involving extraordinary circumstances. We believe the department has the resources necessary to begin to address this issue without legislative action at this time. Therefore, we request the department examine this issue to ensure that the current system functions in an equitable and efficient manner.

Thank you for your attention to this important matter.

cc: Members of the Marine Resources Committee
David Elliott, Executive Director, OPLA

Almost 2,000 Lobster License Plates Sold!

The new "lobster plate" became available May 1st. As of the beginning of June, 1,914 lobster plates had already been sold. The fees collected from the sale of the first 2,000 plates are used to cover the upfront costs associated with the production and issuance of the plate. After that, \$10.00 from each lobster plate purchase or renewal will be deposited in the newly created Lobster Research, Education, and Development Fund. The total fee for the plate (in addition to the regular registration fee) is \$20.00 and renewals are \$15.00.

New License Created – Marine Harvesting Demonstration

In recent years DMR has been receiving increasing numbers of requests from individuals who wish to obtain special licenses in order to conduct harbor tours that include a demonstration of how lobsters are harvested. In the past, these special licenses have been conditioned and approved by the DMR Advisory Council. During this past legislative session a bill was introduced (LD 1389: *An Act to Create a Marine Harvesting Demonstration License*) to create a new license category specifically for this activity so that special licenses would not be necessary. The bill passed after being amended by the Marine Resources Committee to include the following conditions:

- The license does not allow its holder to sell, retain, ship or transport any portion of their catch, and requires that all organisms be released alive.
- The number of lobster traps fished from a vessel under a marine harvesting license may not exceed 20 traps, regardless of the number of license holders fishing from that vessel.
- To aid in enforcement, the vessel that is declared on a harvesting demonstration license may not be used for the commercial harvest of marine organisms.
- The vessel must be clearly identified as a demonstration vessel.
- The applicant is required to complete the same lobster and crab fishing written examination that the noncommercial lobster license holder does, unless they have held a Class I, II, or III lobster license and have landed lobster under that license.

DMR will be adopting rules to further describe the conditions under which the marine harvesting demonstration license can be used. The license will be available in 2004.

Letter From Sue Barber, Executive Director of the Maine Lobster Promotional Council...

June 27, 2003

Dear Industry Member:

This letter is to inform you that I have resigned as Executive Director of the Maine Lobster Promotion Council.

It has been a privilege to serve as Executive Director for the past ten and a half years. The job has been challenging, as well as rewarding. I leave with pride and a sense of accomplishment in the MLPC's successful fulfillment of its mandate; of working with industry organizations to better understand generic promotion and the importance of market diversification and long-range planning; settlement of the lawsuit with the National Pork Producers Council; creation of partnerships with other commodity boards/state and federal agencies/organizations and other external funding sources; fulfilling the task of creating a source of revenue for industry research, education and development; and personal gratification derived as a recipient of several awards from both industry and outside organizations.

I depart knowing that the MLPC has a good staff and supporting team of contractors. I am confident that they can carry out the FY '04 plan of work until the MLPC Board conducts a search for my replacement. A fresh perspective and new ideas can only make a good organization better.

I wish to thank industry members for the trust and support that has been provided to the Maine Lobster Promotion Council. Industry support is needed by the MLPC for it to continue to raise awareness and increase demand, dispel misinformation, consistently deliver positive messages about Maine lobster as a product and about the industry, expands existing markets and open new markets, and to seek outside funds to leverage revenue from modest industry assessments.

Sincerely,

Sue Barber
Executive Director



STATE OF MAINE
DEPARTMENT OF
MARINE RESOURCES
21 State House Station
Augusta, Maine 04333

DMR - Hallowell
(207) 624-6550

This newsletter is available on the DMR Web Page at:
<http://www.maine.gov/dmr> Click on **Lobster**

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Also See Insert 
Whale Take Reduction Gear Options

Contact Numbers

- DMR (Hallowell)	624-6550	- Marine Patrol Div. I	633-9595
- DMR Lab (Boothbay)	633-9500	(NH border to St. Georges River)	
- DMR Lab (Lamoine)	667-5654	- Marine Patrol Div. II	667-3373
- Terry Stockwell	633-9556	(St. Georges River to Canadian border)	
- Resource Mgmt Coord.		- Laura Ludwig	633-9513
- Sarah Cotnoir	624-6596	- Whale Take Reduction Coord.	
- Lobster Zone Adm. Asst.		- John Higgins	677-2316
		- NMFS Whale TRP Coord.	

Upcoming Meeting Dates

September 10, 1:00 pm –
DMR Advisory Council
Meeting, DMR in Boothbay

September 16, 7:00 pm –
Lobster Zone F, Harrison
Middle School, Room 201,
Yarmouth

September 23, 6:30 pm –
Lobster Zone D, Rockland
Ferry Terminal

